

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM JAMESON, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

ERNEST PEDATA, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

DAVID SORENSON, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

[Captions continued on next page]

Civil Action No.: 2:02-CV-2802-HH

Civil Action No.: 2:02-CV-2901-HH

Civil Action No.: 2:02-CV-3158-HH

**[PROPOSED] ORDER CONSOLIDATING ACTIONS,
APPOINTING LEAD PLAINTIFFS, AND APPROVING LEAD PLAINTIFFS'
SELECTION OF CO-LEAD COUNSEL**

BRIAN SMITH and DANA SMITH, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

KURT MEYLE, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

JEFFREY J. HYSLIP, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

JOHN J. RIGAS, MICHAEL J. RIGAS,
TIMOTHY J. RIGAS, and JAMES P. RIGAS,

Defendants.

[Captions continued on next page]

Civil Action No.: 2:02-CV-3211-HH

Civil Action No.: 2:02-CV-3699-HH

Civil Action No.: 2:02-CV-3768-HH

SCOTT BURNSIDE, on behalf of himself and all others similarly situated,	:	
	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.: 2:02-CV-3769-HH
	:	
JOHN J. RIGAS, MICHAEL J. RIGAS, TIMOTHY J. RIGAS, and JAMES P. RIGAS,	:	
	:	
Defendants.	:	
WILLIAM H. SPADAFORA, on behalf of himself and all others similarly situated,	:	
	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.: 2:02-CV-3858-HH
	:	
JOHN J. RIGAS, MICHAEL J. RIGAS, TIMOTHY J. RIGAS, and JAMES P. RIGAS,	:	
	:	
Defendants.	:	

Having considered the Motion of Jeffrey Hyslip, John Hyslip, Joseph Hyslip, Rance Backster, Larry Walsh, Richard Bokman, John Dewaileebe and Norman Preston (the “Wellsville Group”) to Consolidate Actions, to be Appointed Lead Plaintiffs and for Approval of Lead Plaintiffs’ Selection of Co-Lead Counsel and Liaison Counsel, the Memorandum of Law in support thereof, the Affidavit of Darren J. Check in Support of that Motion, and good cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is Granted.
2. The above-captioned actions are consolidated for all purposes (the “Consolidated Action”). This Order (the “Order”) shall apply to the Consolidated Action and to each case that

relates to the same subject matter that is subsequently filed in this Court or is transferred to this Court and is consolidated with the Consolidated Action.

3. A Master File is established for this proceeding. The Master File shall be Civil Action No. 2:02-CV-2802-HH. The Clerk shall file all pleadings in the Master File and note such filings on the Master Docket.

4. An original of this Order shall be filed by the Clerk in the Master File.

5. The Clerk shall mail a copy of this Order to counsel of record in the Consolidated Action.

6. Every pleading in the Consolidated Action shall have the following caption:

WILLIAM JAMESON, on behalf of himself and	:	
all others similarly situated,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No.: 2:02-CV-2802-HH
	:	
JOHN J. RIGAS, MICHAEL J. RIGAS,	:	
TIMOTHY J. RIGAS, and JAMES P. RIGAS,	:	
	:	
Defendants.	:	

7. The Court requests the assistance of counsel in calling to the attention of the Clerk of this Court the filing or transfer of any case that might properly be consolidated as part of the Consolidated Action.

8. When a case that arises out of the same subject matter of the Consolidated Action is hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

a. File a copy of this Order in the separate file for such action;

b. Mail a copy of this Order to the attorneys for the plaintiff(s) in the newly-filed or transferred case and to any new defendant(s) in the newly-filed case; and

c. Make the appropriate entry in the Master Docket for the Consolidated Action.

9. Each new case that arises out of the subject matter of the Consolidated Action which is filed in this Court or transferred to this Court, shall be consolidated with the Consolidated Action and this Order shall apply thereto, unless a party objects to consolidation, as provided for herein, or any provision of this Order, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, by filing an application for relief and this Court deems it appropriate to grant such application. Nothing in the forgoing shall be construed as a waiver of the defendants' right to object to consolidation of any subsequently-filed or transferred related action.

10. Class members The Wellsville Group is appointed to serve as Lead Plaintiffs in the above-captioned consolidated actions, pursuant to 15 U.S.C. §78u-4(a)(3)(B). The Wellsville Group is appointed to serve as Lead Plaintiffs for the Class of purchasers of Adelphia Business Solutions, Inc. securities from January 6, 2000 through March 27, 2002, inclusive (the "Class Period");

11. The law firms of Schiffrin & Barroway, LLP and Wolf Haldenstein Adler Freeman & Herz, LLP are hereby approved as Co-Lead Counsel for the Class. Co-Lead Counsel shall provide general supervision of the activities of plaintiffs' counsel and shall have the following responsibilities and duties to perform or delegate as appropriate:

a. To brief and argue motions;

- b. To initiate and conduct discovery, including, without limitation, coordination of discovery with defendants' counsel, the preparation of written interrogatories, requests for admissions, and requests for production of documents;
- c. to direct and coordinate the examination of witnesses in depositions;
- d. to act as spokesperson at pretrial conferences;
- e. to call and chair meetings of plaintiffs' counsel as appropriate or necessary from time to time;
- f. to initiate and conduct any settlement negotiations with counsel for defendants;
- g. to provide general coordination of the activities of plaintiffs' counsel and to delegate work responsibilities to selected counsel as may be required in such a manner as to lead to the orderly and efficient prosecution of this litigation and to avoid duplication or unproductive effort;
- h. to consult with and employ experts;
- i. to receive and review periodic time reports of all attorneys on behalf of plaintiffs, to determine if the time is being spent appropriately and for the benefit of plaintiffs, and to determine and distribute plaintiffs' attorneys' fees; and
- j. to perform such other duties as may be expressly authorized by further order of this Court.

IT IS SO ORDERED.

DATED: _____

UNITED STATES DISTRICT JUDGE